# ORIGINAL

#### Before the

#### FEDERAL COMMUNICATIONS COMMISSION

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Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

In the Matter of

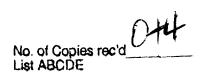
Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Detroit, Howe and Jacksboro, Texas) (Antlers and Hugo, Oklahoma)	) ) ) )	MM Docket No. 97-26 RM-8968 RM-9089 RM-9090
Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Lewisville, Gainesville, Robinson, Corsicana, Jacksboro, Mineral Wells, Texas	) ) ) )	MM Docket No. 97-91 RM-8854 RM-9221

To: Chief, Allocations Branch Policy & Rules Division Mass Media Bureau

#### REQUEST FOR IMMEDIATE ISSUANCE OF ERRATUM

Great Plains Radiocasting ("GPR"), by its counsel, hereby requests that the Commission immediately issue an Erratum to delete the allotment of Channel 294C2 to Detroit, Texas due to an absence of expression of interest in this allotment. In support hereof, GPR states as follows:

- 1. On August 21, 1998, the Commission issued the <u>Report & Order</u> (DA 98-1650) in these proceedings which, inter alia, granted the allotment of Channel 294C2 to Detroit, Texas in response to the original petition of GPR. No other party expressed an interest in applying for the station to serve Detroit, Texas.
  - 2. However on June 30, 1998, GPR filed the attached pleading



withdrawing its expression of interest and providing the proper certification of no consideration pursuant to Section.4290(j) of the Commission's Rules. This pleading was fully served on all parties. Apparently the Commission staff overlooked this pleading when it issued the Report & Order because it made no mention of its having been considered. Commission policy and Section 307(b) of the Communications Act of 1934, as amended, requires an expression of interest before a channel can be allotted. Therefore GPR requests that the Commission staff act during its 40 day recision period (See Section 1.117 of the Commission's Rules) so that a filing window is not issued for this channel.

3. The issuance of an Erratum is appropriate to delete this channel in view of the fact that the Commission must issue an Erratum in any event due to the fact that the Commission deleted Channel 300Cl from Corsicana, Texas but failed to amend the FM Table of Allotments by listing Corsicana in paragraph 14 of the Report & Order, the ordering clause.

Respectfully submitted,

GREAT PLAINS RADIOCASTING

By:

William J Pennington, III

Its Attorney

Law Office of William J. Pennington, III (Admitted in NC & SC Only)

P.O. Box 403

Westfield, MA 01086

(413) 562-3341

#### Before the

# Federal Communications Commission

Washington, D.C. 20554

In the Matter of	)	MM Docket No. 97-26 RM-9090	of the order
nendment of Section 73.202(b), ble of Allotments, 1 Broadcast Stations ctroit, Texas)	) ) )	RM-9089 RM-8968	SECTIONS

Chief, Allocations Branch To:

### WITHDRAWAL OF EXPRESSION OF INTEREST OF GREAT PLAINS RADIOCASTING

Great Plains Radiocasting ("GPR"), by its counsel, hereby withdraws the expression of interest it filed in this proceeding on November 26, 1996. Although GPR previously supported the allotment of FM Channel 294C2 to Detroit Texas, and indicated its intent to apply for a construction permit and build a new facility if the Commission granted that allotment, GPR has changed its mind. Pursuant to Section 1.420(j) of the Commission's Rules, 47 C.F.R. § 1.421(j), GPR certifies that (i) neither it nor its principals has received or will receive any consideration for the withdrawal of its expression of interest in this proceeding, and (ii) no agreements written or oral exist regarding such withdrawal.

Respectfully submyited

alliam I Pennington

Law Office of William & Pennington, III

(NC and SC Bars only)

P.O. Box 403

Westfield, MA 10816

(413) 562-3341

Its attorney

June 29, 1998

#### CERTIFICATE OF SERVICE

I. William J. Pennington, Esquire, do hereby certify that on this 26th day of June, 1998, copies of the foregoing Withdrawal of Expression of Interest of Great Plains Radiocasting were mailed, postage prepaid, to the following:

Pam Blumenthal
Allocations Branch
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W.
Fifth Floor
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(Counsel to K95.5, Inc.)

William J Pennington

## CERTIFICATE OF SERVICE

I, William J. Pennington, Esquire, do hereby certify that on this 3rd day of September, 1998, copies of the foregoing Request for Immediate Issuance of Erratum were mailed, postage prepaid, to the following:

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(Counsel to K95.5, Inc.)

William J Pennington